

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

PAINTERS DISTRICT COUNCIL No. 30	)	
HEALTH and WELFARE FUND, and	)	
RICHARD G. WILDE, on behalf of	)	
themselves and all others similarly situated,	)	
	)	
	Plaintiffs,	)
		)
v.	)	Civil Action No. 05-360
	)	
ABBOTT LABORATORIES, FOURNIER	)	
INDUSTRIE ET SANTE, and	)	
LABORATOIRES FOURNIER, S.A.,	)	
	)	
	Defendants.	)
	)	
VISTA HEALTH PLAN, on behalf of itself	)	
and all others similarly situated,	)	
	)	
	Plaintiffs,	)
		)
v.	)	Civil Action No. 05-365
	)	
ABBOTT LABORATORIES, FOURNIER	)	
INDUSTRIE ET SANTE, and LABORATOIRES	)	
FOURNIER, S.A.,	)	
	)	
	Defendants.	)
	)	
ALLIED SERVICES DIVISION WELFARE	)	
FUND, on behalf of itself and all others similarly	)	
situated,	)	
	)	
	Plaintiffs,	)
		)
v.	)	Civil Action No. 05-394
	)	
ABBOTT LABORATORIES, FOURNIER	)	
INDUSTRIE ET SANTE, and LABORATOIRES	)	
FOURNIER, S.A.,	)	
	)	
	Defendants.	)
	)	

PENNSYLVANIA EMPLOYEES BENEFIT )  
TRUST FUND, on behalf of itself and all others )  
Similarly situated, )  
Plaintiff, )  
v. ) Civil Action No. 05-390  
Abbott Laboratories, )  
FOURNIER INDUSTRIE ET SANTE; )  
and LABORATORIES FOURNIER S.A., )  
Defendants. )  
DIANA KIM, on behalf of herself and others )  
similarly situated, )  
Plaintiff, )  
v. ) Civil Action No. 05-426  
Abbott Laboratories, FOURNIER )  
INDUSTRIE ET SANTE, and LABORATORIES )  
FOURNIER, S.A. )  
Defendants. )  
PHILADELPHIA FEDERATION OF )  
TEACHERS HEALTH AND WELFARE FUND, )  
on behalf of themselves and all others similarly )  
situated, )  
Plaintiff, )  
v. ) Civil Action No. 05-467  
Abbott Laboratories, FOURNIER )  
INDUSTRIE ET SANTE, and )  
LABORATOIRES FOURNIER, S.A., )  
Defendants. )

CINDY CRONIN, on behalf of herself and all others similarly situated, )  
Plaintiff, ) Civil Action No. 05-482  
v. )  
ABBOTT LABORATORIES, FOURNIER )  
INDUSTRIE ET SANTE, and )  
LABORATOIRES FOURNIER, S.A., )  
Defendants. )  
CHARLES M. SHAIN and SANDRA KRONE )  
on behalf of themselves and all other persons )  
and entities similarly situated, )  
Plaintiffs, ) Civil Action No. 05-475  
v. )  
ABBOTT LABORATORIES, FOURNIER )  
INDUSTRIE ET SANTE, )  
and LABORATOIRES FOURNIER, S.A. )  
Defendants. )  
ELAINE M. PULLMAN, NEIL PERLMUTTER, )  
HELENA PERLMUTTER, and LULA RAMSEY, )  
on behalf of themselves and all others similarly situated, )  
Plaintiff, ) Civil Action No. 05-450  
v. )  
ABBOTT LABORATORIES; )  
FOURNIER INDUSTRIE ET SANTE; )  
and LABORATOIRES FOURNIER S.A., )  
Defendants. )

LOCAL 28 SHEET METAL WORKERS, on )  
behalf of itself and all others similarly situated, )  
Plaintiff, ) Civil Action No. 05-516  
v. )  
ABBOTT LABORATORIES; )  
FOURNIER INDUSTRIE ET SANTE; )  
and LABORATORIES FOURNIER S.A., )  
Defendants. )

**MOTION FOR ENTRY OF PRETRIAL ORDER NO. 1 REGARDING  
CONSOLIDATION OF INDIRECT PURCHASER CLASS ACTIONS AND  
COORDINATION OF INDIRECT PURCHASER CLASS ACTIONS WITH  
DIRECT PURCHASER ACTIONS AND DIRECT PURCHASER INDIVIDUAL  
ACTIONS**

Plaintiffs in the above captioned actions (“Plaintiffs) hereby move for entry of proposed Case Management Order No.1, submitted herewith. Plaintiffs, indirect purchasers, have filed actions against Abbott Laboratories, Fournier Industrie et Sante, and Laboratoires Fournier, S.A., (collectively, “Defendants”) in the this Court (Civil Action numbers 05-360, 05-365, 05-394, 05-390, 05-426, 05-467, 05-482, 05-475, 05-450, and 05-516, respectively). Plaintiffs seek to recover overcharge damages resulting from Defendants’ alleged exclusion of competition from the fenofibrate market in violation of Section 2 of the Sherman Act, 15 U.S.C. § 2.

In order to promote judicial economy and avoid duplication, Plaintiffs move the Court to provide for the consolidation and/or coordination of these actions and any other class actions filed in or transferred into this District on behalf of direct purchasers, and for an organization of plaintiffs' counsel as set forth in Case Management Order No. 1.

Based upon the foregoing, Plaintiffs respectfully request that Case Management Order No. 1 be entered.

Dated: July 26, 2005

Respectfully submitted,

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